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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/286,822	04/05/1999	THOMAS A. GRATE	MS1-305US	5476

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT PAPER NUMBER

2152

DATE MAILED: 04/25/2002

4

Please find below and/or attached an Office communication concerning this application or proceeding.

BA

Office Action Summary

Application No.

09/286,822

Applicant(s)

GRATE ET AL.

Examiner

Douglas B Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 23 recites the limitation "the first program code presents a graphical user interface to enable a user to enter the configuration details" in the first line of Claim 23. There is insufficient antecedent basis for this limitation in the claim. There is no mention of a "first program code" in the parent claim 22 or the specification.
3. Claim 24 recites the limitation "the first program code posts the configuration details to a URL (universal resource locator) at the Web site" in the first sentence of Claim 24. There is insufficient antecedent basis for this limitation in the claim. There is no mention of a "first program code" in the parent claim 22 or the specification.
4. Claim 25 recites the limitation "the second program code addresses the URL to access the configuration details" in the first sentence of claim 25. There is insufficient antecedent basis for this limitation in the claim. There is no mention of a "second program code" in the parent claims 22 and 24 or the specification.
5. Claim 26 recites the limitation "second program code creates a trading partner record and automatically populates the trading partner record with the configuration details" in the first sentence of Claim 26. There is insufficient antecedent basis for this limitation in the claim. There is no mention of a "second program code" in the parent claim 22 or the specification.
6. For examination purposes it will be assumed that claims 23-26 were meant to be dependent upon claim 27 and not claim 22.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

8. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 1-11, 13-17, and 19-29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,161,099 to Harrington et al..

10. As to claim 1, Harrington teaches a method for establishing a trading relationship between trading partners involved in electronic commerce, the method comprising: retrieving configuration details associated with a potential trading partner from a remote site (Figure 5 shows the auctioner's remote site. The configuration details are listed on the site in table form.); and automatically configuring a trading relationship with the potential trading partner using the configuration details (The option buttons in Figure 5 will initiate a trading relationship when pressed by the bidder).

11. As to claim 2, Harrington teaches the use of a web site on the Internet that may be accessed by users (col. 6, lines 37-52, A URL is an inherent part of a web site) .
12. As to claim 3, Harrington teaches the idea of creating a trading partner record and automatically populating the trading partner record with the configuration details (Figure 6 shows a trading record in the form of a HTML page with a spreadsheet. This spreadsheet page is automatically populated by the auctioneer's web server.).
13. As to claim 4, Harrington teaches the idea of an electronic commerce trading system involving exchanges of commerce information over a network, a method comprising: collecting configuration details associated with a trading partner participating in the commerce trading system (Figure 15 shows a web site that collects configuration details.); and publishing the configuration details to a Web site (col. 12, lines 8-24).
14. As to claim 5, Harrington teaches a method of collecting configuration details comprising the presentation of a graphical user interface to enable a user to enter the configuration details (The page represented by Figure 15 is a graphical user interface.).
15. As to claim 7, Harrington teaches the idea of having the Web site associated with the trading partner (col. 6, lines 41-43).
16. As to claim 8, Harrington teaches a method for establishing a trading relationship between trading partners involved in electronic commerce, the method comprising: creating a trading partner record for a potential trading partner (Figure 6 shows a trading record in the form of a HTML page with a spreadsheet.); retrieving configuration details associated with the potential trading partner from a remote site (The configuration details in Figure 6 are downloaded from the auctioneer's remote site); and populating the trading partner record with

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the configuration details retrieved from the remote site (In Figure 6 the details are already filled into the spreadsheet when the page is downloaded.).

17. As to claim 9, Harrington teaches a method wherein retrieving comprises addressing a URL to access the configuration details posted to a Web site (col. 6, lines 37-52, A URL is an inherent part of a web site).

18. As to claim 10, Harrington teaches a method for establishing a trading relationship between first and second trading partners involved in electronic commerce, the method comprising: collecting configuration details associated with the first trading partner (Figure 15 shows a web site that collects configuration details.); publishing the configuration details to a Web site (col. 12, lines 8-24); creating, at the second trading partner, a trading partner record for the first trading partner (Figure 6 shows a trading record in the form of a HTML page with a spreadsheet.); retrieving the configuration details associated with the first trading partner from the Web site (The configuration details in Figure 6 are downloaded from the auctioneer's remote site); and populating the trading partner record with the configuration details associated with the first trading partner (In Figure 6 the details are already filled into the spreadsheet when the page is downloaded.).

19. As to claim 11, Harrington teaches the idea that collecting comprises presenting a graphical user interface to enable the user to enter the configuration details (Figure 15 represents a graphical user interface.).

20. As to claim 13, Harrington teaches a method of publishing comprising posting the configuration details to a URL at the Web site (Figure 5 shows configuration details which are accessible via a Web site.).

21. As to claim 14, Harrington teaches a method wherein retrieving comprises addressing the URL to access the configuration details posted to the Web site. (Figure 6 shows configuration details that were retrieved via accessing a Web site.).
22. As to claim 15, Harrington teaches a system comprising a first computer system at a first trading partner (Figure 1, number 10); a second computer system at a second trading partner (Figure 1, number 14); a Web site (Figure 2); the first computer system collecting configuration details associated with the first trading partner and publish the configuration details to the Web site (Figure 15 shows a page which collects configuration details and then builds a Web site upon submission of said configuration details.); and the second computer system retrieving the configuration details from the Web site and automatically configure for a trading relationship with the first trading partner using the configuration details (Figure 5 shows a Web site featuring configuration details, that when downloaded to the second computer's browser, automatically configure a trading relationship).
23. As to claim 16, Harrington teaches the idea that the first computer system hosts the Web site (col. 6, lines 37-52).
24. As to claim 17, Harrington teaches the method of having the first computer system present a graphical user interface to enable a user to enter the configuration details (Figure 15 is a graphical user interface).
25. As to claim 19, Harrington teaches a system wherein the first computer system posts the configuration details to a URL at the Web site (Figure 5 shows configuration details which are accessible via a Web site that are published by the auctioneer.).

26. As to claim 20, Harrington teaches a system wherein the second computer system addresses the URL to access the configuration details (Figure 5 shows configuration details which are accessible via a Web site.).

27. As to claim 21, Harrington teaches the idea that the second computer system creates a trading partner record and automatically populates the trading partner record with the configuration details (Figure 6 shows a spreadsheet automatically populated with configuration details which is downloaded to the bidder's computer.).

28. As to claim 22, claim 22 has similar limitations to those of claim 15. Therefore claim 22 is rejected based on the same grounds as claim 15.

29. As to claims 27 and 23-26, these claims have similar limitations to those of claim 15 and its dependent claims. Therefore claim 27 and claims 23-26 are rejected on the same grounds as claim 15 and its dependent claims.

30. As to claim 28, claim 28 has similar limitations to those of claim 4. Therefore claim 28 is rejected on the same grounds as claim 4.

31. As to claim 29, claim 29 has similar limitations to those of claim 8. Therefore claim 8 is rejected on the same grounds as claim 8.

Claim Rejections - 35 USC § 103

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

33. Claims 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harrington in view of U.S. Patent No. 6,338,050 to Conklin et al..

34. As to claim 12, Harrington teaches the method described in claim 10 (See 102e rejection of claim 10 above). However, Harrington does not teach a method wherein the publishing comprises publishing the configuration details in XML format.

Conklin teaches a method of publishing trade configuration details to a web site in XML format (col. 40, lines 51-55).

It would have been obvious to one of ordinary skill in the Information Technology art at the time of the invention to combine the teachings of Harrington and Conklin to provide trade configuration details on a Web site in XML format because of the added functionality which XML provides for data display purposes.

35. As to claim 18, the limitations are similar to those of claim 12. Therefore, claim 18 is rejected on the same grounds as claim 18.

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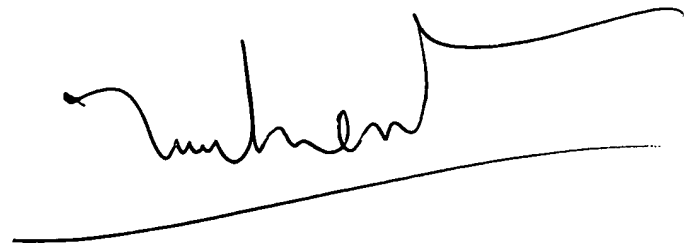
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 7:30am-5:00pm Mon-Thurs, alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (703)305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-4815 for regular communications and (703)305-4815 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Douglas Blair
April 17, 2002

A handwritten signature in black ink, appearing to read 'Le Hien Luu', is written over a horizontal line.

LE HIEN LUU
PRIMARY EXAMINER